

AO 440 (Rev. 8/01) Summons in a Civil Action

UNITED STATES DISTRICT COURT

Southern

District of

New York

In re AMARANTH NATURAL GAS
COMMODITIES LITIGATION

SUMMONS IN A CIVIL ACTION

V.

CASE NUMBER: 07-cv-6377

TO: (Name and address of Defendant)

GOTHAM ENERGY BROKERS, INC.
C/O BARRY MCAULEY
40 PARKWAY
HARRINGTON PARK, NJ 07640

YOU ARE HEREBY SUMMONED and required to serve on PLAINTIFF'S ATTORNEY (name and address)

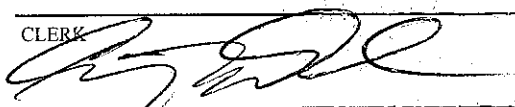
Christopher Lovell
Lovell Stewart Halebian LLP
500 Fifth Avenue, 58th Floor
New York, NY 10110

an answer to the complaint which is served on you with this summons, within 20 (twenty) days after service of this summons on you, exclusive of the day of service. If you fail to do so, judgment by default will be taken against you for the relief demanded in the complaint. Any answer that you serve on the parties to this action must be filed with the Clerk of this Court within a reasonable period of time after service.

J. MICHAEL McMAHON

DEC 18 2007

CLERK



(By) DEPUTY CLERK

DATE



AO 440 (Rev. 10/93) Summons in a Civil Action

RETURN OF SERVICE

SERVICE OF: **SUMMONS AND COMPLAINT, ECF, JUDGES RULE**
EFFECTED (1) BY ME: **JOHN OBIE**
TITLE: **PROCESS SERVER**

DATE: 02/13/2008 03:13PM

CHECK ONE BOX BELOW TO INDICATE APPROPRIATE METHOD OF SERVICE:

☒ Served personally upon the defendant:GOTHAM ENERGY BROKERS INC. C/O BARRY MCAULEY

Place where served:

LIVINGSTON ST APPLEBEES PARKING LOT NORTHVALE NJ 07647

☐ Left copies thereof at the defendant's dwelling house or usual place of abode with a person of suitable age and discretion then residing therein. Name of person with whom the summons and complaint were left:

BARRY MCAULEYRelationship to defendant: AUTHORIZED AGENT

Description of person accepting service:

SEX: M AGE: 36-50 HEIGHT: 5'9"-6'0" WEIGHT: 161-200 LBS. SKIN: WHITE HAIR: BROWN OTHER: _____☒ To the best of my knowledge, said person was not engaged in the U.S. Military at the time of service

ENTITY AGREED TO MEET IN NORTHVALE

STATEMENT OF SERVER

TRAVEL \$ _____ SERVICES \$ _____ TOTAL \$ _____

DECLARATION OF SERVER

I declare under penalty of perjury under the laws of the United States of America that the foregoing information contained in this Return of Service and Statement of Server is true and correct.

DATE: 02/13/2008

John Obie L.S.
SIGNATURE OF JOHN OBIE
GUARANTEED SUBPOENA SERVICE, INC.
2009 MORRIS AVENUE
UNION, NJ 07083

ATTORNEY: CHRISTOPHER LOVELL
PLAINTIFF: IN RE: AMARANTH NATURAL GAS COMMODITIES LITIGATION
DEFENDANT: N/A
VENUE: SOUTHERN DIST. OF NY
DOCKET: 07 CV 6377

Jackeline Gonzalez 02/13/08
JACKELINE GONZALEZ
NOTARY PUBLIC OF NEW JERSEY
My Commission Expires Dec. 7, 2010

1) As to who may serve a summons see Rule 4 of the Federal Rules of Civil Procedure.